

ADMINISTRATIVE - INTERNAL USE ONLY

(?)
3 May 79

MEMORANDUM FOR: Deputy Director of Central Intelligence
General Counsel
Deputy Director for Operations
Deputy Director for National Foreign Assessment Center
Deputy Director for Science and Technology
Deputy Director for Administration
Chief, NFIB Working Group on Compartmentation
Chairman, DCI Security Committee

FROM:

[Redacted]

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Assistant for Information, DDA

SUBJECT:

Compliance with Executive Order 12065 --
Request for ISOO Waivers of Certain Classification
Review Requirements

REFERENCE:

AI/DDA Memorandum on Same Subject, dated 30 April 1979

1. Enclosed herewith is our revision of the material forwarded to addressees under the referenced memorandum, prepared on the basis of the useful comments received thereon. Addressees will note that:

a. The proposed DCI letter to the Director of the Information Security Oversight Office (DISOO) has been augmented by the inclusion of language designed more specifically to delineate the purpose of the requested review-interval waivers and the limitations on their applicability and use, as well as to reflect our consultation thereon with the U.S. Archivist's designated representative;

b. The descriptions of the waiver categories (attachment to DCI letter) have been somewhat amended and rearranged;

c. The review intervals requested have been shortened, from 50 years to 40 years for the first re-review in the cases of Categories A and B (formerly Category F, in the enclosure to the referenced memorandum) and from 20 years to 10 years for any additional re-reviews that may be necessary;

d. The former Attachments 1 and 2 (the latter classified CONFIDENTIAL) to the proposed DCI letter have been merged into a single UNCLASSIFIED attachment;

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e. Portions of former Attachment 2, especially under Categories B (formerly F) and C (formerly B), have been rewritten so as to eliminate the need for classification of certain paragraphs, as well as to include categorization priorities in the case of information to which more than one waiver category may be applicable. Categories A and (new) B have the highest priorities as well as the longest intervals between the initial and first subsequent reviews for declassification.;

2. Any comments addressees may now care to make on the enclosed review-interval waiver request revision should be received by COB on 15 May 1979. FYI, a classified version incorporating many but not all of the above changes was distributed in draft form for informal review by other Intelligence Community member agencies at the DCI Security Committee meeting on 9 May.

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Enclosure

The Director
Central Intelligence Agency

ENCLOSURE

Washington, D.C. 20505

Mr. Michael T. Blouin
Director, Information Security Oversight Office
General Services Administration
Washington, D.C. 20405

Dear Mr. Director:

This is in response to your thoughtful communication of 11 April 1979 concerning extension of the intervals between systematic reviews for declassification of information in certain categories, as provided by Executive Order 12065. We are in basic agreement that little information warrants classification beyond the first ten-year extension following initial review, when one considers the entire mass of classified information existing throughout the Government.

Nevertheless, the fraction of this mass which must remain classified beyond that first extension is heavily concentrated in the files of the Central Intelligence Agency and of other Intelligence Community member agencies and departments. My statutory responsibility and authority for protection of information relating to intelligence sources and methods has already been frequently exercised in the certification of classification extensions under the Order. Procedures for the systematic review of such information, including the intervals between any further reviews determined to be necessary after its initial review, should apply throughout the Community while providing for the particular requirements of each Community element.

The review interval extension categories listed by the Secretary of the Army in his 12 February 1979 letter to you are valid as far as they go. The needs of the Intelligence Community as a whole, however, would be better served by a more complete and detailed categorization. The attachment hereto lists and describes six categories of information which concern intelligence sources and methods and are deemed to merit waivers of the Order's ten-year review interval requirement. Appropriate time intervals for further reviews of the information to be included are also specified, as requested in your letter. The types of information cited by the Secretary of the Army, along with others also affecting Community members, are covered under one or another of the categories.

Rationales for these categories are also discussed in the attachment. As indicated therein, maximum durations of classification cannot be predetermined. The categories were prepared in consultation with Mr. Edwin A. Thompson, designated representative of the Archivist of the United States.

In accordance with Information Security Oversight Office Directive No. 1, use of these categories will be strictly limited to information that:

- has been systematically reviewed for declassification at least once;

- is determined through such review to require extension of classification, based on an identifiable need therefor, during a period in excess of twenty additional years;

- cannot when so reviewed be assigned a definitive date or event for declassification, thus requiring at least one additional review; and

- is certified accordingly by an agency head authorized to do so under the Order.

The categories concern only the systematic review for declassification of the information they cover, and thus do not apply to information requested under the Freedom of Information Act or the Order's mandatory review provisions. All FOIA and other mandatory review requests will continue to be processed in accordance with the Act and Order, whether or not the information falls within any review-interval waiver category.

Your early approval of waivers for the specified categories is requested, so that they may be incorporated in declassification guidelines. The Order requires these guidelines to be issued on or before 31 May 1979.

Yours sincerely,

STANSFIELD TURNER

Attachment

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